



USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/25/20

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November 24, 2020

**VIA ECF**

Hon. Gregory H. Woods U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, NY 10007

**MEMORANDUM ENDORSED**

Re: *R.B. et al. v. N.Y.C. Dep't of Educ., et al.* 20-cv-2201 (GHW)

Dear Judge Woods:

I am Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, attorney for Defendant in the above-referenced action wherein Plaintiffs seek attorneys' fees, costs and expenses in the amount of \$24,974.50 for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* (IDEA), as well as for this action.

I write to respectfully request an adjournment of the conference scheduled for November 30, 2020, *sine die*, and to propose that the parties submit a status letter no later than December 18, 2020, informing the Court the case has been fully resolved, or, that the parties wish to proceed to either a settlement conference, or a briefing schedule to be proposed at that time. My office attempted to obtain Plaintiff's agreement to join this request yesterday by email and again today by telephone, but we have not received a response as of this writing.

Preliminarily, Defendant apologize to the Court for not having timely submitted a pre-conference letter as required by the Court or a request for an extension. The undersigned circulated a draft of this letter last week but had not received a response from Plaintiff prior to Your Honor's Order at Dkt. No. 16, issued yesterday. We are very sorry for the inconvenience this lapse caused for the Court.

This is the second request for an adjournment of the initial conference. The parties have begun settlement negotiations, and this adjournment would provide the parties with additional time to achieve settlement. Defendant anticipates that the parties will fully resolve this action without the need to burden the Court with any further litigation or Court intervention. We note that to date, Defendant and the Dayan Firm have been able to settle every one of the dozens of

similar federal actions for fees and costs under the IDEA, and fully expect this case to take that same course.

Accordingly, Defendant respectfully requests that the conference scheduled for November 30, 2020, be adjourned *sine die*, and that a status letter be due no later than December 18, 2020.

Respectfully submitted,

/s/ Bianca C. Isaias


Bianca C. Isaias

Assistant Corporation Counsel

cc: Adam Dayan, Esq (via ECF)

Application granted. The parties are directed to file a joint status letter by December 18, 2020. The initial pretrial conference scheduled for November 30, 2020 is adjourned *sine die*.  
SO ORDERED.

Dated: November 24, 2020

  
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GREGORY H. WOODS  
United States District Judge